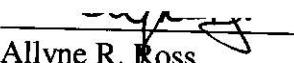


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DELORES HOLMAN, X
Plaintiff, : 05 CV 1416 (ARR)
-against- : NOT FOR
CHEESECAKE FACTORY RESTAURANT, INC., : PUBLICATION
Defendant. : OPINION AND ORDER
----- X
ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated October 11, 2005 from the Honorable Cheryl L. Pollak, United States Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, the court hereby adopts the Report and Recommendation, in its entirety, as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1). Accordingly, plaintiff's motion to amend is granted and plaintiff is granted leave to file a subsequent motion to remand.

SO ORDERED.


Allyne R. Ross
United States District Judge

Dated: October 31, 2005
Brooklyn, New York

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cc: Magistrate Cheryl L. Pollak